

**STATE OF SOUTH CAROLINA**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**DOCKET NO. 2020-1-E**

In re: Annual Review of Base Rates )  
 for Fuel Costs of Duke Energy )  
 Progress, LLC )

---

**MOTION FOR ADMISSION**  
**PRO HAC VICE**

Intervenors, Southern Alliance for Clean Energy (“SACE”) and South Carolina Coastal Conservation League (“SCCCL”), hereby move the Public Service Commission of South Carolina, (“Commission”), to permit Kurt Ebersbach, Esquire to practice *Pro Hac Vice* before this Commission in the above-captioned proceeding.

Pursuant to Rule 404, of the South Carolina Appellate Court Rules (“SCACR”), Mr. Ebersbach, with the consent of counsel of record, is simultaneously filing with the South Carolina Supreme Court, a Verified application for Admission Pro Hac Vice in the State of South Carolina, (Attached here to as, Exhibit “A”).

WHEREFORE, in accordance with the provisions set forth in Rule 404, SACE and SCCCL respectfully request that the Motion be granted.

This 9th day of April, 2020,

Respectfully Submitted,

/s/ J. Blanding Holman  
 James Blanding Holman IV  
 Southern Environmental Law Center  
 525 East Bay Street, Suite 14  
 Charleston, SC 29403  
 Telephone: (843) 720-5270  
 Fax: (843) 414-7039  
 E-mail: bholman@selcsc.org

CERTIFICATE OF SERVICE

I hereby certify that the parties listed below have been served via electronic mail and/or first class mail with a copy of the *Motion for Admission Pro Hac Vice* of the South Carolina Coastal Conservation League and Southern Alliance for Clean Energy.

Alexander W. Knowles  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201  
*aknowles@ors.sc.gov*

Katie M. Brown  
Duke Energy Progress, LLC  
401 West Broad Street, Suite 690  
Greenville, SC 29601  
*katie.brown2@duke-energy.com*

Andrew M. Bateman  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201  
*abateman@ors.sc.gov*

Michael K. Lavanga  
Stone Mattheis Xenopoulos & Brew, PC  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, DC 20007  
*mkl@smxblaw.com*

Becky Dover  
SC Department of Consumer Affairs  
*bdover@scconsumer.gov*

Rebecca J. Dulin  
Duke Energy Progress, LLC  
1201 Main Street, Suite 1180  
Columbia, SC 29201  
*Rebecca.Dulin@duke-energy.com*

Carri Grube Lybarker  
SC Department of Consumer Affairs  
*clybarker@scconsumer.gov*

Robert R. Smith, II  
Moore & Van Allen, PLLC  
100 North Tryon Street, Suite 4700  
Charlotte, NC 28202  
*robsmith@mvalaw.com*

Christopher M. Huber  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29801  
*chuber@ors.sc.gov*

Samuel J. Wellborn  
Robinson Gray Stepp & Laffitte, LLC  
1310 Gadsden Street  
Columbia, SC 29201  
*swellborn@robinsongray.com*

Heather Shirley Smith  
Duke Energy Progress, LLC  
40 W. Broad Street, Suite 690  
Greenville, SC 29601  
*Heather.smith@duke-energy.com*

This 9<sup>th</sup> day of April, 2020

/s/ A. Rachel Pruzin  
Andrea Rachel Pruzin

# Exhibit A

# VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE* IN THE STATE OF SOUTH CAROLINA

In the Matter of: 2020-1-E South Carolina Public Service Commission

Annual Review of Base Rates for  
Fuel Costs of Duke Energy  
Progress, LLC

<u>Plaintiff</u>	<u>Case No.</u>	<u>Tribunal</u>
vs.		
	<u>Mailing Address of Tribunal:</u>	<u>101 Executive Center Drive</u>
		<u>Suite 100</u>
<u>Defendant</u>		<u>Columbia, SC 29210</u>

Comes now Kurt David Ebersbach, applicant herein, and respectfully represents the following:

1. Applicant resides at:

<u>Street Address</u>			
<u>Decatur</u>	<u>Dekalb</u>	<u>GA</u>	<u>30030</u>
<u>City</u>	<u>County</u>	<u>State</u>	<u>Zip Code</u>
<u>Telephone</u>			

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Southern Environmental Law Center, with offices at Ten 10<sup>th</sup> Street, Suite 1050

<u>Street Address</u>			
<u>Atlanta</u>	<u>Fulton</u>	<u>GA</u>	<u>30309</u>
<u>City</u>	<u>County</u>	<u>State</u>	<u>Zip Code</u>
<u>404-521-9900</u>	<u>404-521-9900</u>	<u>404-521-9909</u>	<u>kebersbach@selcga.org</u>
<u>Primary Telephone</u>	<u>Cell Phone</u>	<u>Fax Number</u>	<u>Email Address</u>

3. Applicant has been retained personally or as a member of the above-named law firm by The South Carolina Coastal Conservation League and Southern Alliance for Clean Energy to provide legal representation in connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since September of 1997, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of Georgia where applicant regularly practices law. Attached is a certificate of good standing dated within the last 90 days from the bar of the highest court of the District of Columbia or the State where applicant regularly practices law.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:
Georgia Supreme Court	June 24, 1998
Georgia Court of Appeals	June 24, 1998
United States District Court for the Northern District of Georgia	March 20, 1998
United States District Court for the Middle District of Georgia	February 14, 2003

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

N/A

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court date):

N/A

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

N/A

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below (give particulars, e.g., date, court, administrative body, date of suspension and reinstatement):

N/A

9. Local counsel of record associated with applicant in this case is J. Blanding Holman IV  
of the Southern Environmental Law Center law firm, which has offices at:

463 King Street, Suite B

Street Address

Charleston

Charleston

SC

29403-7204

City

County

State

Zip Code

843-720-5270

843-414-7039

bholman@selcsc.org

Primary Telephone

Cell Phone

Fax Number

Email Address

72260

South Carolina Bar Number

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

In the Matter of: Annual Review of Base Rates for Fuel Costs for Dominion Energy South Carolina, Inc.,

Case No. 2020-2-E. Application dated January 7, 2020 was granted. Litigation remains pending with hearing currently scheduled for April 9, 2020. Local counsel of record is J. Blanding Holman IV (Bar No. 72260).

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above-named tribunal for this case only.

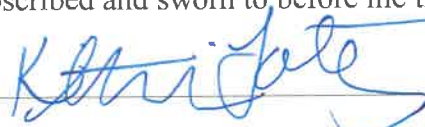
DATED this 3<sup>rd</sup> day of March, 2020

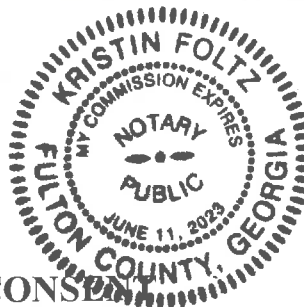
  
APPLICANT

**VERIFICATION**STATE OF Georgia )COUNTY OF Fulton )

I, Kurt D. Ebersbach, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission pro hac vice. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear pro hac vice in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.

  
 APPLICANT/AFFIANT

 Subscribed and sworn to before me this 31<sup>st</sup> day of March, 20 20
  
 Notary Public for the State of Georgia

 My Commission Expires: June 11, 2023
**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

 DATED this 1<sup>st</sup> day of April, 20 20
  
 LOCAL COUNSEL OF RECORD
**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 1<sup>st</sup> day of April, 20 20

  
 APPLICANT/AFFIANT

(by app w/express permission)



**Supreme Court  
State of Georgia**  
NATHAN DEAL JUDICIAL CENTER  
Atlanta 30334

January 3, 2020

I hereby certify that Kurt David Ebersbach, Esq., was admitted on the 24<sup>th</sup> day of June, 1998, as a member of the bar of the Supreme Court of Georgia, the highest court of this State; and, since that date he has been and is now a member of this bar in good standing, as appears from the records and files in this office.

Witness my signature and the seal of this Court  
hereto affixed the day and year first above written.



*Theresa S. Bann*, Clerk